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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/992,934 | 11/05/2001 | Sung-Jin Kim | 678-711 (P9667) | 9174 |
| 28249 | 7590 | 05/04/2006 | EXAMINER | |
| DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553 | | | PHAM, TUAN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2618 | |

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------|---------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/992,934 | KIM, SUNG-JIN | |
| | Examiner | Art Unit | |
| | TUAN A. PHAM | 2618 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/14/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. The applicant filed a declaration under 37 CFR 1.131 to overcome the prior art of record, see Applicant's remark, filed on 02/14/2006, with respect to the rejection(s) of claim(s) 1-9 under 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made over Lemilainen et al. (U.S. Patent No.: 6,766,160) in view of Burgess et al. (U.S. Patent No.: 6,532,228).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4-5, and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemilainen et al. (U.S. Patent No.: 6,766,160, hereinafter, "Lemilainen") in view of Burgess et al. (U.S. Patent No.: 6,532,228, hereinafter, "Burgess").

Regarding claims 1, 4, and 7, Lemilainen teaches a method of sharing data with a slave using Bluetooth wireless communication by portable phone (see figure 1, mobile terminal 12) equipped with a Bluetooth module (see figure 1, Bluetooth circuitry

18), where the portable phone acts as a master (see figure 1, mobile terminal act as master, and PBU 1 act as slave), comprising the steps of:

receiving the data from a mobile communication system in a first format (read on RF signal) and storing the received data in the first format (see figure 1, mobile 12 is received data and stored data from a wireless communication, BTS 52, BSC 48, col.5, ln.49-65, col.6, ln.39-48);

determining whether to transmit the data to the slave by Bluetooth wireless communication (see col.6, ln.62-67); and

converting the data from the first format to the data packets for Bluetooth communication when it is determined that the data is to be transmitted to the slave (see figure 1, the mobile 12 is received data from the base station by the first format "RF", when the mobile 12 enters into the Bluetooth area and the mobile 12 will convert the first format to second format "LINK MANAGER PROTOCOL" in order to communicate with the slave, col.6, ln.62-67, col.7, ln.1-9).

It should be noticed that Lemilainen fails to teach adding an access code and a header to the data in the first format and determining whether the master is connected to the slave by a first ACL (Asynchronous Connection Less) link or an SCO (Synchronous Connection-oriented) link; establishing a second ACL link and transmitting the data packets to the slave on the established ACL link if it is determined that the ACL link connects the master and the slave; and establishing an ACL link and transmitting the data packets to the slave on the established ACL link if it is determined that the SCO link connects the master and the slave. However, Burgess teaches

adding an access code and a header to the data in the first format (see figure 3, col.3, ln.60-67, col.4, ln.1-46) and determining whether the master is connected to the slave by a first ACL (Asynchronous Connection Less) link (read on point to multi-point communication) or an SCO (Synchronous Connection-oriented) link (read on point to point communication)(see figure 1, master 4, slaves 6-10, col.3, ln.1-18); establishing a second ACL link and transmitting the data packets to the slave on the established ACL link if it is determined that the ACL link connects the master and the slave (see figure 1, master 4, slaves 6-10, col.3, ln.1-18); and establishing an ACL link and transmitting the data packets to the slave on the established ACL link if it is determined that the SCO link connects the master and the slave (see figure 1, master 4, slaves 6-10, col.3, ln.1-18).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Burgess into view of Lemilainen in order to conserve power for the receiver as suggested by Burgess at column 2, ln.22-25.

Regarding claims 2, 5, and 8, Lemilainen further teaches SMS message (see col.8, ln.1-5).

4. Claims 3, 6, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemilainen et al. (U.S. Patent No.: 6,766,160, hereinafter, "Lemilainen") in view of Burgess et al. (U.S. Patent No.: 6,532,228, hereinafter, "Burgess") as applied to claims 1, 4, and 7 above, and further in view of Reed (U.S. Patent No.: 6,665,549).

Regarding claims 3, 6, and 9, Lemilainen and Burgess, in combination, fails to teach data Internet. However, Reed teaches such features (see figure 1, internet 16 is provided the data over internet).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Reed into view of Lemilainen and Burgess in order to receive the data from the Internet.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Pham whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2618
May 1, 2006
Examiner

Supervisory Patent Examiner
Technology Center 2600

A handwritten signature in black ink, appearing to read 'Matthew Anderson', with a long horizontal flourish extending to the right.

Tuan Pham

Matthew Anderson